

GRUENSTEIN, HICKEY
HAVELOCK & DUFFY
Resolution Plaza
1029 W. 3rd Avenue, Suite 510
Anchorage, AK 99501
907-258-4338 (p)/907-258-4350 (f)

IN THE SUPREME COURT FOR THE STATE OF ALASKA

FILED
STATE OF ALASKA
JUDICIAL COURTS

2022 FEB 24 PM 2:28

CLERK APPELLATE COURT

BY DEPUTY CLERK

JERRY MCCAVID and BRENDA)
MCCAVID, individually and as)
HUSBAND and WIFE,)
)
Appellants,)
)
v.)
)
BARBARA LACHER and LOUIS)
LACHER, individually and as)
HUSBAND and WIFE,)
)
Appellees.)

Supreme Court No. S-18261
Superior Court Case No. 3PA-13-00918 CI

NOTICE OF FILING

Appellees, Barbara Lacher and Louis Lacher, by and through undersigned counsel, file the following documents: (1) Cost Bill awarding Plaintiffs/Appellees \$5,397.77, dated February 23, 2022, and signed by Barbara A. Cloud, Clerk of Court; and (2) Final Judgment awarding Plaintiffs/Appellees \$67,229.77, dated February 17, 2022, and signed by Judge Kristen C. Stohler. These documents are being filed pursuant to the Court's February 17, 2022 Order requesting that these documents be filed as soon as possible after the final judgment has been distributed.

DATED at Anchorage, Alaska, this 27th day of February, 2022.

GRUENSTEIN, HICKEY, HAVELOCK & DUFFY
Attorneys for Appellees

By Daniel W. Hickey
Daniel W. Hickey for Brian Duffy
AK Bar No. 7206026 AK Bar No. 0307036

Certificate of Service

I hereby certify that this Entry of Appearance
is in Times New Roman 13 pt. font and on

2/24/2022 I delivered a copy of
the foregoing via ~~US mail/email/hand delivery~~ to:

Kevin T. Fitzgerald
Ingaldson Fitzgerald
813 West Third Avenue
Anchorage, Alaska 99501-2001
kevin@impc-law.com


Donna K. Daniels

**GRUENSTEIN, HICKEY
HAVELOCK & DUFFY**
Resolution Plaza
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Anchorage, AK 99501
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IN THE DISTRICT/SUPERIOR COURT FOR THE STATE OF ALASKA
AT PALMER

BARBARA LACHER and LOUIS LACHER,
Individually and as husband and wife,

Plaintiff(s),
vs.
JERRY MCCAIVIT and BRENDA MCCAIVIT,
Individually and as husband and wife,

Defendant(s).

FILED IN DISTRICT COURTS
State of Alaska, Third District
at Palmer, Alaska

NOV 24 2021

Clerk of the Trial Courts

By _____ Deputy

CASE NO. 3PA-13-00918 CI

COST BILL

Date shown in the clerk's certificate of distribution on the judgment: _____
(Note: Late-filed cost bills will be denied pursuant to Civil Rule 79(b).)

☒ Plaintiff(s) ☐ Defendant(s) seek to recover the costs listed below. These costs are allowable under Civil Rule 79(f) and were necessarily incurred in the action. The amount listed for each item is the amount specified in the rule or the cost actually incurred.

		Date Incurred (only required if relevant under Civil Rule 68)
1.	Filing fee	\$ _____
2.	Service of process	\$ _____
3.	Other process server fees	\$ _____
4.	Publication	\$ _____
5.	Premiums for undertakings, bonds, and other security	\$ _____
6.	Depositions	
a.	Court reporter's fee	\$ _____
b.	Court reporter's travel expenses	\$ _____
c.	Audio and audio-visual deposition costs	\$ _____
d.	Transcript	\$ _____
e.	List deponents: _____	\$ _____

7. Witness fees

a. Non-expert witnesses

List: _____

\$ _____

b. Expert witnesses

List: David C. Norton - courtroom
testimony

\$ 708.75 _____

8. Interpreter and translator fees

\$ _____

9. Total travel

\$ _____

(Attach itemized trip information. See form CIV-411.)

10. Long distance telephone charges for telephonic participation at court proceedings, depositions, the meeting of the parties, and witness interviews

\$ _____

11. Computerized legal research

\$ _____

12. Copying

a. In-house copies (\$.15 per page)

\$ 59.10 _____

b. Outside copy costs (actual cost)

\$ _____

c. Other. Describe: log notes copy request

\$ 5.00 _____

13. Exhibit preparation

\$ _____

14. Court-ordered transcripts

\$ _____

15. Other costs allowed by statute.

Describe: transcripts delivered to Judge
Stohler, per her request

\$ 65.00 _____

Costs awarded December 11, 2017

\$ 4,559.92

TOTAL COSTS

\$ 5,397.77

11/23/2001

Date

Signature

1025 W. 3rd Ave., Suite 510

Mailing Address

Anchorage AK 99501

City

State

Zip

907. 258. 4338

Daytime Phone

Verification

I state on oath or affirm that I have read this cost bill and its attachments and that all statements and costs contained in these documents are true and correct.

B D
Signature

Subscribed and sworn to or affirmed before me at Anchorage, Alaska,
on November 23, 2001 (date)

(SEAL)

Wm K Lawell
Clerk of Court, Notary Public, or other person
authorized to administer oaths.

My commission expires: 6/17/2003

I certify that on 11/23/2001
a copy of this cost bill was served on:

By: Wm K Lawell

Kevin Fitzgerald e kevin@ipmc-law.com

CLERK'S RULING ON COST BILL

Costs are hereby taxed in favor of PLAINTIFFS
and against Defendants in the amounts noted above.

Remarks: _____

02/23/2022
Date

Barbara A. Clard
Clerk of Court

I certify that on 2/24/2022
a copy of this ruling was sent to:

Duffy Allaway
Fitzgerald
Clerk: klap

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA
THIRD JUDICIAL DISTRICT AT PALMER

BARBARA LACHER and LOUIS
LACHER, individually and as
husband and wife,

Plaintiffs,

vs.

JERRY MCCAVID AND BRENDA
MCCAVID, individually and as
husband and wife, and the STATE
OF ALASKA, Department of Natural
Resources,

Defendants.

Case No. 3PA-13-00918 CI

FINAL JUDGMENT

IT IS ORDERED that judgment is entered as follows:

1. Plaintiffs Barbara Lacher and Louis Lacher, shall recover from and have judgment against defendants Jerry McCavit and Brenda McCavit, jointly and severally, as follows:

- | | |
|--------------------------------|----------------------|
| a. Principal Amount | \$N/A |
| b. Prejudgment Interest | N/A% |
| c. Sub-Total | \$N/A |
| d. Attorneys' Fees | \$ <u>101,832</u> |
| Date Awarded: <u>2/17/2020</u> | |
| Judge: <u>Stohler</u> | |
| e. Costs | \$ <u>5,397.77</u> |
| Date Awarded: <u>2/23/2022</u> | |
| Clerk: <u>Chapel</u> | |
| f. TOTAL JUDGMENT | \$ <u>167,229.77</u> |
| g. Post-Judgment Interest | 3.25% |

2. The McCavits must remove their 16' x 20' dock extension located on their lakefront property described as Lot 8-6, Fred M. Hurd Subdivision, according to Plat No. W-54, Palmer Recording District, Third Judicial District, State of Alaska, no later than February 7, 2022. The McCavits are enjoined from encroaching into the waters in front of the Lachers' lakefront property beyond the location of the McCavits' original dock. The

Final Judgment

Lacher, et al. v. McCavit, et al./Case No. 3PA-13-00918 CI

GRUENSTEIN, HICKEY
HAVELOCK & DUFFY

Resolution Plaza

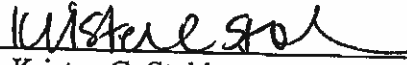
1029 W. 3rd Avenue, Suite 540

Anchorage, AK 99501

907-258-4338 (p) / 907-258-4350 (f)

Lachers' lakefront real property is located at Lot 1, Hardisty's Wasilla Lake Subdivision, according to Plat 61-60, Palmer Recording District, Third Judicial District, State of Alaska.

Dated at Palmer, Alaska, this 17 day of February, 2022.



Kristen C. Stohler
Superior Court Judge

CERTIFICATE OF SERVICE

I hereby affirm that on 11/23/ 2021,
I caused true and correct copies of the foregoing
document and its proposed order to be served via
email/~~hand-delivery~~/USPS postage prepaid upon
the following:

Kevin T. Fitzgerald
Ingaldson Fitzgerald, P.C.
813 W. 3rd Ave.,
Anchorage, AK 99501

Kevin@ipme-law.com


Donna K. Daniels

I certify that on 02/24/2022
a copy of this document was sent to
☐ CSSD ☒ Attorney(s) of record Duffy
☐ Plaintiff ☐ Defendant ☐ Other Ingaldson
At the address(es) of record: Fitzgerald
Rec'd Jnl _____
Deputy Clerk keys

Final Judgment

Lacher, et al. v. McCavit, et al./Case No. 3PA-13-00918 CI